

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALLEN RAY RUSSELL II,

Petitioner,

V.

TIMOTHY WENGLER,

Respondent.

Case No. C07-5506FDB-KLS

**ORDER REGARDING STATE
COURT RECORD**

This matter is before the Court on petitioner's amended petition for writ of *habeas corpus* pursuant to 28 U.S.C. § 2254 (Dkt. #6 and #14) and respondent's filing of his answer thereto (Dkt. #30) and notice of filing submission of the state court record (Dkt. #31). The state court record, however, does not contain any transcripts of petitioner's trial and related proceedings. (see Dkt. #31, p. 2). Because the Court deems those transcripts to be necessary to the full and fair resolution of this matter, though, respondent hereby is directed to file copies thereof with the Court by **no later than June 27, 2008**.

Accordingly, the Clerk shall re-note this matter for consideration on **July 11, 2008**. The Clerk also shall send a copy of this Order to petitioner and counsel for respondent.

DATED this 27th day of May, 2008.

John L. Johnson

Karen L. Strombom
United States Magistrate Judge